

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Petition No. 51/RP/2016**

**Coram:**

**Shri Gireesh B. Pradhan, Chairperson  
Shri A.K. Singhal, Member  
Shri A.S. Bakshi, Member  
Dr. M.K. Iyer, Member**

**Date of Order : 11.11.2016**

**In the matter of:**

Review of Commission's order dated 29.7.2016 in Petition No. 201/TT/2015 in the matter of approval of transmission tariff for 4 nos. 400 kV Line bays at Narendra (New) for Kudigi TPS-Narendra (New) 400 kV 2XD/C Quad lines, under "Sub-station Extension works associated with transmission system required for evacuation of Power from Kudigi TPS (3X800 MW in phase-I) of NTPC Limited" in Southern Region for 2014-19 tariff period under Regulation-86 of Central Electricity Regulatory Commission (Conduct of Business) Regulations, 1999 and Central Electricity Regulatory Commission (Terms and Condition of Tariff) Regulations, 2014.

**And in the matter of:**

NTPC Limited,  
NTPC Bhavan  
Core-7, Institutional area, Lodhi Road,  
New Delhi-110003

.....**Petitioner**

**Vs**

1. Karnataka Power Transmission Corporation Ltd. (KPTCL),  
Kaveri Bhawan, Bangalore-560 009.
2. Transmission Corporation of Andhra Pradesh Ltd. (APTRANSCO),  
Vidyut Soudha, Hyderabad-500 082.



3. Kerala State Electricity Board (KSEB),  
Vaidyuthi Bhavanam,  
Pattom, Thiruvananthapuram-695 004.
4. Tamil Nadu Electricity Board (TNEB)  
NPKRR Maaligai, 800, Anna Salai,  
Chennai-600 002.
5. Electricity Department,  
Government of Goa  
Vidyuti Bhawan, Panaji  
Goa 403001
6. Electricity Department,  
Government of Pondicherry,  
Pondicherry-605 001.
7. Eastern Power Distribution Company of Andhra Pradesh Ltd.  
(APEPDCL),P&T Colony,  
Seethmmadhara, Vishakhapatnam,  
Andhra Pradesh.
8. Southern Power Distribution Company of Andhra Pradesh Ltd.  
(APSPDCL), Srinivasasa Kalyana Mandapam Backside,  
Tiruchanoor Road, Kesavayana Gunta,  
Tirupati-517 501.
9. Central Power Distribution Company of Andhra Pradesh Ltd. (APCPDCL),  
Corporate Office, Mint Compound,  
Hyderabad-500 063.
10. Northern Power Distribution Company of Andhra Pradesh Ltd.  
(APNPDCL), Opp. NIT Petrol Pump,  
Chaitanyapuri, Kazipet, Warangal-506 004.
11. Bangalore Electricity Supply Company Ltd. (BESCOM),  
Corporate Office, K. R. Circle,  
Bangalore-560 001
12. Gulbarga Electricity Supply Company Ltd. (GESCOM),  
Station Main Road, Gulbarga.  
Karnataka.



13. Hubli Electricity Supply Company Ltd. (HESCOM),  
Navanagar, PB Road,  
Hubli, Karnataka.
14. MESCOM Corporate Office,  
Paradigm Plaza, AB Shetty Circle,  
Mangalore-575 001.
15. Chamundeswari Electricity Supply Corporation Ltd. (CESC),  
# 927, L J Avenue, Ground Floor,  
New Kantharaj Urs Road,  
Saraswatipuram, Mysore-570 009
16. Kudgi Transmission Limited  
L&T infrastructure Development Projects Limited  
38 Cubban Road, Bangalore- 560 001
17. Power Grid Corporation of India Limited  
"Saudamini", Plot No.2,  
Sector-29, Gurgaon -122 001 NTPC Limited

.....Respondents

**For petitioner** : Shri Sanjay Sen, Senior Advocate, NTPC  
Shri Hemant Singh, Advocate, NTPC  
Shri Sahil Kaul, NTPC  
Shri V.K.Jain, NTPC  
Shri B.S.Rajput, NTPC  
Shri Rohit Chhabra, NTPC  
Shri Nishant Gupta, NTPC

**For respondents** : Shri S. Vallinayagam, Advocate, TANGEDCO  
Ms. E. Shyamala, TANGEDCO  
Shri R. Kathiravan, TANGEDCO

### Interim Order

The instant review petition has been filed by NTPC seeking review of order dated 29.7.2016 in Petition No 201/TT/2015, whereby the Commission had determined



the transmission tariff for 4 nos. 400 kV Line bays at Narendra (New) for Kudigi TPS-Narendra (New) 400 kV 2XD/C Quad lines, under "Sub-station Extension works associated with transmission system required for evacuation of Power from Kudigi TPS (3X800 MW in phase-I) of NTPC Limited" in Southern Region for 2014-19 tariff period under Central Electricity Regulatory Commission (Terms and Conditions of Tariff) Regulations, 2014 (referred as "2014 Tariff Regulations").

2. The Review Petitioner has submitted that the Commission taking into consideration the order dated 27.6.2016 in Petition No.236/MP/2015 held in the impugned order that the tariff for the bays covered in the Petition No.201/TT/2015 will be borne by NTPC till the date of commercial operation of its first unit or start of LTA whichever is earlier and thereafter the transmission charges are to be governed by the provisions of Central Electricity Regulatory Commission (Sharing of Inter-State Transmission Charges and Losses) Regulations, 2010, as provided in Regulation 43 of the 2014 Tariff Regulations.

3. The Review Petitioner has submitted that two nos. 400/220 kV ICTs were put under the scope of the review petitioner while approving associated transmission system in 33rd Standing Committee Meeting on Power System Planning in Southern Region so that KPTCL can draw its share from 6 nos. 220 kV lines emanating from Kudgi STPP switchyard and terminating at various 220 kV sub-stations/ load centers of KPTCL. The system of 400/220 kV was introduced at KPTCL's request vide letter dated



7.10.2011. The bays are being constructed as part of the sub-station extension works associated with transmission system required for evacuation of power from Kudgi TPS of the review petitioner from COD to 31.3.2019 based on 2014 Tariff Regulations. The Commission erred in ignoring the fact that the transmission charges payable by the review petitioner in the instant case cannot be determined in the manner as determined for Kudgi Transmission Limited (KTL) in the order dated 27.6.2016 in Petition No. 236/MP/2015. KTL was awarded the project for construction of transmission line under Section 63 of the Electricity Act, 2003. Accordingly, the determination of transmission charges payable to KTL was not governed by the 2014 Tariff Regulation as the said regulations are applicable only in cases covered under Section 62 of the Electricity Act, 2003. Hence, the transmission charges for the aforesaid case were determined as per the Central Electricity Regulatory Commission (Sharing of Inter State Transmission Charges and Losses) Regulations, 2010. Accordingly, this is an error apparent on the face of record. Further, no cogent reason have been adduced while imposing the liability of transmission charges on the review petitioner in the impugned order

4. During the hearing, the learned senior counsel for NTPC requested to admit the review petition.

5. The learned counsel for TANGEDCO sought four weeks time of file its reply in the matter.



6. We have considered the submissions of the Review Petitioner. We admit the review petition and issue notice to the respondents. The review petitioner is directed to serve a copy of the petition on the respondents by 15.11.2016 and the respondents shall file their replies by 25.11.2016, with copy to the review petitioner, who shall file its rejoinder, if any, by 5.12.2016.

7. The staff of the Commission is directed to provide a copy of the instant review petition to CEA and request CEA to give its comments on the NTPC's contention that the Kudgi-Narendra (new) line can be utilized for drawl by Karnataka through ICTs by 25.11.2016.

8. The petition shall be listed for hearing on 6.12.2016. The parties shall ensure the completion of the pleadings within the date mentioned and no extension of time shall be granted for any reason.

sd/-  
**(Dr. M.K. Iyer)**  
**Member**

sd/-  
**(A.S. Bakshi)**  
**Member**

sd/-  
**(A.K. Singhal)**  
**Member**

sd/-  
**(Gireesh B. Pradhan)**  
**Chairperson**

